

REMARKS

Claim 1 is amended herein to effect various formalistic changes, and in addition, to limit the substituent a) to monomer mixtures in which the hydroxy-C<sub>1</sub>-C<sub>6</sub>-alkyl(meth)acrylate is present in at least an equal amount as is the combined amount of compounds (A) and (B). Claims 4 and 5 are amended to create proper Markush wording. No new matter is introduced herein, the amendments necessitate no new search, and the claims are *prima facie* in condition for allowance. Applicants respectfully request that they be entered and examined.

REJECTION UNDER 35 USC §112, ¶2

The structures of compounds (A) and (B) have been introduced in claim 1, redressing the rejections on this ground. Further, part c) in claim 1 has been amended in view of the examiner's rejection.

REJECTIONS UNDER 35 USC §102(B)/§103(A)

ARMOUR ET AL. (US 3,433,701)

The examiner rejects claims 1-6 and 8 in the alternative as anticipated by or obvious over the disclosure of Armour et al. This rejection is respectfully traversed based on new claim language requiring hydroxy-C<sub>1</sub>-C<sub>6</sub>-alkyl(meth)acrylate and compounds (A) and/or (B) to be present in at least equal amounts. As previously indicated, Armour teaches that hydroxyalkyl esters should be present only in amounts of up to 20% by weight of the copolymer. Accordingly, Armour not only fails to teach

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this element, but also teaches away from it. Accordingly, the present claims are neither anticipated by nor obvious over the disclosure of Armour.

BERGMEISTER ET AL. (US 3,817,896)

The examiner also rejects claims 1-8 in the alternative as anticipated by or obvious over the disclosure of Bergmeister. This rejection is respectfully traversed for the reasons set forward above with respect to Armour et al., and for additional reasons. In particular, Bergmeister teaches copolymerization of ethylene and vinyl acetate, where up to 40% of the vinyl acetate present may be replaced with one or more comonomers, including hydroxyalkyl(meth)acrylates. In contrast to Bergmeister, the present invention requires hydroxyalkyl(meth)acrylates to be present in an amount at least equal to that of the compounds (A) and/or (B). The 60:40 ratio of Bergmeister does not teach this element of the invention. Furthermore, ethylene is required to be present in Bergmeister in an amount of from 5-50% overall. The present claims do not envision the presence of this comonomer.

CONCLUSION

In view of the foregoing amendments and remarks, applicants consider that the rejections of record have been obviated, request that the rejections of record be withdrawn, and respectfully solicit passage of the application to issue.

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Respectfully submitted,  
KEIL & WEINKAUF

A handwritten signature in black ink, appearing to read "David C. Liechty".

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